



*Dennis J. Duffin*  
Director

# *The Commonwealth of Massachusetts*

## *Office of Campaign & Political Finance*

*One Ashburton Place, Boston 02108*

*727-8352*

May 11, 1984  
84-1984-08

Mr. Thomas P. Rodger  
92 Glenwood Avenue  
Hyde Park, MA 02136

Dear Mr. Rodger:

This is in response to your letter of April 30, 1984, in which you have inquired as to the application of G.L. c. 55, the campaign finance law, to certain activities contemplated by you. You state that you intend to participate as a candidate for the Massachusetts House of Representatives. You have asked whether there are restrictions on campaign fundraising as an employee of either the Massachusetts Civil Defense Agency or the Massachusetts Registry of Motor Vehicles.


Section 13 of chapter 55 states in relevant part. "No person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever..." Therefore, your employment by either of these state agencies prohibits you from directly or indirectly soliciting or receiving anything of value for your own candidacy as well as for any other political purpose. C. 55 does permit you to have a political committee organized on your behalf and have that political committee solicit and receive contributions on behalf of your candidacy, provided that, "no such gift, payment, contribution, assessment, subscription or promise of money or other thing of value may be solicited or received on behalf of such a person from any person or combination of persons if such person so employed knows or has reason to know that the person or combination of persons has an interest in any particular matter in which the person so employed participates or has participated in the course of such employment or which is the subject of his official responsibility.

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C. 55 places other restrictions on campaign finance activities which may be relevant to you. You may not, as a person in the public service, give anything of value to another person in the public service to be used for the promotion of any political object. You may not be under obligation to contribute to any political fund or to render any political service. You may not, as an officer or employee of the commonwealth, discharge, promote, degrade, or change the official rank or compensation of any employee, or threaten to do so, for giving, withholding or neglecting to make a contribution for the benefit of your candidacy or any other political purpose.

Your employment by a state agency which receives federal funds could subject you to restrictions under federal law in addition to those imposed by state law. I suggest, therefore, that you contact the Office of the Special Counsel of the U.S. Merit Systems Protection Board, which administers the Hatch Political Activity Act, to determine the impact federal law might have on your political activity as an employee of the Massachusetts Civil Defense Agency.

Very truly yours,

  
Dennis J. Duffin  
Director

DJD/mam